

### Remarks

The above Amendments and these Remarks are in reply to the Office action mailed December 18, 2001. Applicant will address the Examiner's Remarks in the order presented in the Office action.

### Specification

The Examiner has noted that the sequence on page 9, line 27 does not have a Seq. ID number. Applicant has amended the specification to add a Seq ID number, and has enclosed a CRF and paper copy of the Sequence Listing, including SEQUENCE ID NO. 3.

Applicants confirm that both the CRF and paper copy of the Sequence Listing are identical, and no new matter has been added.

### Claim Rejections 35 U.S.C. §112

Claims 8-12 stand rejected under §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter, which Applicant regards as the invention. Claims 8-11 are indefinite as they are directed to a protein of a specified sequence but refer to the protein as "protein(s)". Specifically, the Examiner has rejected claim 8-11 because the Examiner feels that it is unclear what whether the protein(s) are a group of different proteins, of which one is that of the specified sequence. Additionally, the Examiner has requested that if "protein(s)" is referring to those proteins, which comprise the specified sequence, "protein(s)" should be replaced with "protein". Applicant obviated the rejection by amending claims 8-11 to delete "protein(s)," and in

its place substituted “protein”. The Examiner will note that Applicant has amended claims 8-11 to delete “proteins,” and in its place substituted “protein”.

The Examiner rejected claim 8 as being indefinite as the claims is drawn to a protein “encoded an amino acid sequence comprising SEQ ID NO: 2 or SEQ ID NO: 1.” The Examiner will note that claim 8 has further been amended to delete reference to “SEQ ID NO: 1,” and the inappropriate “encoding as amino acid sequence”. Finally, “binds” has been deleted and “bind” substituted in its place.

The Examiner rejected claim 9 as being indefinite as the protein of claim 8 does not further comprise a bromodomain as the bromodomain is already present in SEQ ID NO: 2. Claim 9 has been amended as suggested by the Examiner to delete “which further comprises a bromodomain comprising” and substituted in its place “wherein a bromodomain comprises”.

The Examiner rejected claim 10 as being indefinite as it refers to the amino acid sequence “shown in SEQ ID NO: 2” and the cDNA “shown in SEQ ID NO: 1”. Applicant has amended claim 10 to delete “shown in”, and substituted in its place “as set forth”.

The Examiner rejected claim 12 as being indefinite because it depends upon an indefinite base claim and fails to correct the problem. Applicant has amended claim 12 indirectly by way of amendment to claim 11 wherein “proteins” has been deleted and substituted with “protein”.

35 U.S.C. § 112 Rejections

The Examiner has stated that claims 8 and 9 stand rejected under 35 U.S.C. § 112, first paragraph, because the specification while being enabling for an isolated phosphatidylinositol-3' kinase associated protein comprising the amino acid sequence of SEQ ID NO: 2 or encoded by SEQ ID NO: 1, does not reasonably provide enablement for any phosphatidylinositol-3' kinase associated protein that binds to the intermediate SH2 domain on the regulatory sub unit of phosphatidylinositol-3' kinase. is indefinite as the claim is drawn to a protein "encoded an amino acid sequence comprising SEQ ID NO: 2 or SEQ ID NO: 1". Applicant believes that this rejection is obviated by amending the claims by amending the claims to delete "proteins" and substituting therefore "protein".

In view of the above Amendments and Remarks, reconsideration of the pending claims is requested.

Extension of Time Pursuant to 37 C.F.R. § 1.136(a)

**Applicant respectfully requests a 3 -month extension of time to file a Response to the Final Office Action mailed December 18, 2001. The extended period expires on June 18, 2002. Please charge 3-month extension fee to Deposit Account No. 15-0615.**

Please charge any shortages and credit any overages to Deposit Account No. 15-0615. Any necessary extension of time for response not already requested is hereby requested. Please charge any corresponding fee to Deposit Account No. 15-0615.

The Commissioner is authorized to charge any fees associated with this communication to Deposit Account No. 15-0615 for any matter in connection with this response, including any fee for extension of time which may be required. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

Date: June 18, 2002

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## APPENDIX A

### Amendments showing modifications:

Please amend the specification as follows:

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the insertion of the sequence 5'-CCGGGGATCCCCATGGCTAGCCATATG-3' (SEQ ID NO. 3)

Please amend the claims as follows:

8. (Twice Amended) An isolated phosphatidylinositol-3' kinase associated protein [protein(s) encoding an amino acid sequence] comprising SEQ ID No. 2 [r SEQ ID No. 1,] and that binds [bind] to the intermediate SH2 domain on the regulatory subunit of phosphatidylinositol-3' kinase by the associated protein(s) C-terminal amino acids.
9. (Twice Amended) An isolated phosphatidylinositol-3' kinase associated [protein(s)] protein of claim 8 wherein [which further comprises] a bromodomain [comprising] amino acids 151-313 of SEQ ID No. 2.
10. (Twice Amended) An isolated phosphatidylinositol-3' kinase associated protein [protein(s)] of claim 9 comprising the amino acid sequence [shown] as set forth in SEQ ID No. 2, or the amino acid sequence encoded by the cDNA shown in SEQ ID No. 1.

11. (Once Amended) A chimeric protein comprising said phosphatidylinositol-3' kinase associated protein(s) of claim 10 fused to a heterologous polypeptide.